



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
(Implements RCW 34.05.360)

**Agency:** Washington Horse Racing Commission

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules**

☒ 31 days after filing.

☐ Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

☐ Yes ☒ No If Yes, explain:

**Purpose:**

To amend WAC 260-36-085 to increase license fees to meet the requirements of RCW 67.16.020 and as authorized in ESHB 1244, which authorized the commission to raise license fees to meets its appropriation.

**Citation of existing rules affected by this order:**

Repealed:

Amended: WAC 260-36-085

Suspended:

**Statutory authority for adoption:** RCW 67.16.020 & RCW 67.16.040

**Other authority :**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 09-17-027 on 8/7/2009 (date).

Describe any changes other than editing from proposed to adopted version: Eliminated the proposed \$1.00 increase in fingerprint fees.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: phone ( ) \_\_\_\_\_

Address: fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

**Date adopted:**

10/8/2009

**NAME (TYPE OR PRINT)**

Robert J. Lopez

**SIGNATURE**

**TITLE**

Executive Secretary

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: October 09, 2009

TIME: 10:34 AM

**WSR 09-21-014**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	<u>1</u>	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	<u>1</u>	Repealed	_____
-----	-------	---------	----------	----------	-------

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	<u>1</u>	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

AMENDATORY SECTION (Amending WSR 08-05-087, filed 2/15/08, effective 3/17/08)

**WAC 260-36-085 License and fingerprint fees.** The following are the license fees for any person actively participating in racing activities:

Apprentice jockey	<del>\$((76.00))</del> <u>80.00</u>
Assistant trainer	<del>\$((36.00))</del> <u>38.00</u>
Association employee--management	<del>\$((25.00))</del> <u>26.00</u>
Association employee--hourly/seasonal	<del>\$((15.00))</del> <u>16.00</u>
Association volunteer nonpaid	No fee
Authorized agent	<del>\$((25.00))</del> <u>26.00</u>
Clocker	<del>\$((25.00))</del> <u>26.00</u>
Exercise rider	<del>\$((76.00))</del> <u>80.00</u>
Groom	<del>\$((25.00))</del> <u>26.00</u>
Honorary licensee	<del>\$((15.00))</del> <u>16.00</u>
Jockey agent	<del>\$((76.00))</del> <u>80.00</u>
Jockey	<del>\$((76.00))</del> <u>80.00</u>
Other	<del>\$((25.00))</del> <u>26.00</u>
Owner	<del>\$((76.00))</del> <u>80.00</u>
Pony rider	<del>\$((76.00))</del> <u>80.00</u>
Service employee	<del>\$((25.00))</del> <u>26.00</u>
Spouse groom	<del>\$((25.00))</del> <u>26.00</u>
Stable license	<del>\$((47.00))</del> <u>49.00</u>
Trainer	<del>\$((76.00))</del> <u>80.00</u>
Vendor	<del>\$((116.00))</del> <u>122.00</u>

The license fee for multiple licenses may not exceed ~~\$((116.00))~~ 122.00, except persons applying for owner, veterinarian or vendor license must pay the license fee established for each of these licenses.

The following are examples of how this section applies:

Example one - A person applies for the following licenses: Trainer (~~\$((76.00))~~ 80.00), exercise rider (~~\$((76.00))~~ 80.00), and pony rider (~~\$((76.00))~~ 80.00). The total license fee for these multiple licenses would only be ~~\$((116.00))~~ 122.00.

Example two - A person applies for the following licenses: Owner (~~\$((76.00))~~ 80.00), trainer (~~\$((76.00))~~ 80.00) and exercise rider (~~\$((76.00))~~ 80.00). The total cost of the trainer and exercise rider license would be ~~\$((116.00))~~ 122.00. The cost of the owner license (~~\$((76.00))~~ 80.00) would be added to the maximum cost of multiple licenses (~~\$((116.00))~~ 122.00) for a total license fee of ~~\$((192.00))~~ 202.00.

Example three - A person applies for the following licenses: Owner (~~\$((76.00))~~ 80.00), vendor (~~\$((116.00))~~ 122.00), and exercise rider (~~\$((76.00))~~ 80.00). The license fees for owner (~~\$((76.00))~~ 80.00) and vendor (~~\$((116.00))~~ 122.00) are both added to the license fee for exercise rider (~~\$((76.00))~~ 80.00) for a total license fee of ~~\$((268.00))~~ 282.00.

In addition to the above fees, except for association volunteers (nonpaid) at Class C race meets, a \$10.00 fee will be added to cover the costs of conducting a fingerprint-based background check. The background check fee will be assessed only once annually per person regardless of whether the person applies for more than one type of license in that year.

The commission will review license and fingerprint fees annually to determine if they need to be adjusted to comply with RCW 67.16.020.